

REMARKS

Claims 1, 3-6, 8-18, 21, 23, 25 and 27-39 are pending in this application. Claims 2, 7, 19-20, 22, 24 and 26 have been canceled without prejudice or disclaimer. Claim 16 has been withdrawn as being directed to non-elected subject matter. Claims 16, 35 and 37-38 have been amended

Claims 2, 7, 19-20, 22, 24 and 26 have been canceled without prejudice or disclaimer, and claims 16, 35 and 37-38 have been amended, for the sole reason of advancing prosecution. Applicants, by canceling or amending any claims herein, make no admission as to the validity of any rejection made by the Examiner against any of these claims. Applicants reserve the right to reassert any of the claims canceled herein or the original claim scope of any claim amended herein, in a continuing application.

Claim 16 has been amended to recite "The gas purge valve according to claim 1, wherein the external support lever mechanism is fitted with a calibration mechanism to confirm that the sealing member is retained in a normally closed position and opens only upon vacuum within the housing." Support for amended claim 16 can be found, for example, at paragraph [0009] of the presently published application.

Claim 16 had previously been withdrawn as being directed to a non-elected species. However, in view of the indication of allowability of claim 1, Applicants respectfully request the Examiner also rejoin and allow claim 16. In this regard, Applicants submit that claim 16 is also allowable.

Claim 35 has been amended to correct minor typographical errors. Specifically, the term "seatings" has been replaced with the proper term "sealings."

Claim 37 has been amended to recite "A gas purge valve comprising a housing fitted with an inlet being in flow communication with a float chamber within the housing, and an outlet formed at an upper end thereof, said outlet formed with a valve seating, a sealing assembly for sealing said outlet, and a float disposed within said float chamber and being pivotally attached to the sealing assembly by a rigid link; said sealing assembly being carried at a first end of an external support lever, the external support lever extending outside the housing and comprising a second end pivotally attached to the housing and comprising a second end pivotally attached to the housing at an outside portion thereof allowing the sealing assembly freedom to self align with the valve seating at a closed position." Support for amended claim 37 can be found throughout the specification and claims as originally filed.

Claim 38 has been amended to recite "A gas purge valve comprising: a housing having a valve inlet and a valve outlet; a valve seating defined at said valve outlet; a sealing assembly comprising a sealing member adapted for sealing engagement with said valve seating; a float member articulated to said sealing assembly within the housing, and being displaceable susceptible to liquid level within the housing; and an external support lever comprising a first end being internally received within the housing when in an open position, the first end being articulated to the sealing assembly, the external support lever extending outside the housing and comprising a second end pivotally attached to the housing at an outside portion thereof, allowing displacement of the sealing assembly along a non-linear path between an open position and said closed position, and allowing the sealing assembly freedom to self align with the valve seating

at a closed position.” Support for amended claim 38 can be found throughout the specification and claims as originally filed.

No new matter has been added.

In view of the remarks set forth below, further and favorable consideration is respectfully requested.

I. Allowable Subject Matter

Applicants thank the Examiner for the indication of the allowability of claims 1, 3-6, 8-18, 21, 23, 25, 27-36 and 39.

II. At page 2 of the Official Action, claims 37 and 38 have been rejected under 35 USC § 102(b) as being Kochaver (US Patent No. 3,168,103).

The Examiner asserts that Kochaver teaches each and every element of claims 37 and 38.

In view of the remarks set forth herein, this rejection is respectfully traversed.

The test for anticipation is whether each and every element as set forth is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP § 2131. The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP §2131. The elements must also be arranged as required by the claim. *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990).

As discussed, amended claim 37 is directed a gas purge valve comprising a housing fitted with an inlet being in flow communication with a float chamber within the housing, and an outlet formed at an upper end thereof, said outlet formed with a valve seating, a sealing assembly for sealing said outlet, and a float disposed within said float chamber and being pivotally attached to the sealing assembly by a rigid link; said sealing assembly being carried at a first end of an external support lever, the external support lever extending outside the housing and comprising a second end pivotally attached to the housing and comprising a second end pivotally attached to the housing at an outside portion thereof allowing the sealing assembly freedom to self align with the valve seating at a closed position.

Amended claim 38 is directed to a gas purge valve comprising: a housing having a valve inlet and a valve outlet; a valve seating defined at said valve outlet; a sealing assembly comprising a sealing member adapted for sealing engagement with said valve seating; a float member articulated to said sealing assembly within the housing, and being displaceable susceptible to liquid level within the housing; and an external support lever comprising a first end being internally received within the housing when in an open position, the first end being articulated to the sealing assembly, the external support lever extending outside the housing and comprising a second end pivotally attached to the housing at an outside portion thereof, allowing displacement of the sealing assembly along a non-linear path between an open position and said closed position, and allowing the sealing assembly freedom to self align with the valve seating at a closed position.

Accordingly, Applicants note that claims 37 and 38 are both directed to gas purge valves comprising support levers with one end thereof being "pivotally attached to the housing at an outside portion thereof."

In contrast, Kochaver is directed to vents for pipe lines that are used in the transportation of fluid materials. See Kochaver at the Abstract. However, unlike the presently claimed subject matter, Kochaver does not teach a gas purge valve comprising a support lever with one end thereof being "pivotally attached to the housing at an outside portion thereof," as recited in claims 37 and 38. In this regard, Applicants submit that, unlike present claims 37 and 38, Kochever describes a lever external to the main flow path of the housing. Therefore, Kocherver does not anticipate the subject matter recited in present claims 37 and 38.

In view of the foregoing, it is submitted that Kochever does not teach, either expressly or inherently, each and every element claimed in claims 37 and 38, as required for anticipation under 35 USC § 102. Accordingly, the Examiner is respectfully requested to withdraw this rejection as to claim 37 and 38.

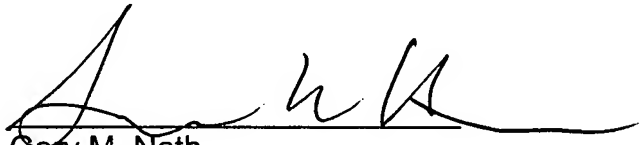
CONCLUSION

In view of the foregoing, Applicant submits that the application is in condition for immediate allowance. Early notice to that effect is earnestly solicited. The Examiner is invited to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Gary M. Nath', written over a horizontal line.

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